REMARKS

The specification has been amended to make editorial changes to place the application in condition for allowance at the time of the next Official Action.

Claims 1-30 were previously pending in the application. Claims 31 and 32 are added. Therefore, claims 1-32 are presented for consideration.

Claims 1-30 were rejected as unpatentable over CRISS et al. 6,308,061 in view of FUENTES et al. 5,960,340. This rejection is respectfully traversed.

Claim 1 of the present invention provides that at the client terminal, a step of transmitting a request message to the server system via the communication network in response to an event triggered by a user of the client terminal, the request message containing the version number of the data and a phone number of the client terminal. Accordingly, the request message is initiated at the client terminal.

In contrast, CRISS et al. at column 7, lines 15-51, noted in the Official Action, specifically lines 18 and 19, disclose that the host computer 30 is responsible for determining whether the mobile terminals have the most current versions of software. This passage continues teaching that if updating is needed, the host computer 30 requests from the mobile terminal indicia which identifies which version of operating the software

the mobile terminal is running. The host computer 30 then compares the version of operating software within the mobile terminal 36 with the latest version of software known to be available in the FTP server 31.

If the mobile terminal 36 has a different version of operating software stored as compared to the version currently available, the host computer 30 transmits a request to the mobile terminal 36 requesting the mobile terminal 36 to have its operating software updated. Accordingly, the request of CRISS et al. is initiated by the host computer; it is not a request message from the client terminal to the server system (host computer) as recited in claim 1 of the present application.

FUENTES does not overcome this shortcoming. FUENTES is only cited for the teaching of a wireless communication system including a client terminal for transmitting a request message containing the devices' telephone number.

Upon review of FUENTES, it appears that this reference does not teach that for which it is offered. Specifically, the method of FUENTES is directed to an automatic call forwarding application. As set forth on column 4, lines 11-29 of FUENTES, a person making a call to a user that dials the user's home phone can be automatically routed to the user's mobile phone when the user's mobile phone is on. The method of FUENTES avoids having to enter a personal identification number (pin) and register a

mobile phone that is linked to the user's home phone. The linking automatically occurs when the mobile phone is turned on.

Further clarification of how one of ordinary skill in the art would combine the teaching of an automatic routing system as taught by FUENTES with a software update method as taught by CRISS et al. to render obvious the claims of the present invention is respectfully requested.

Accordingly, for the reasons set forth above, the proposed combination of references are not believed combinable, and even if they were combined, would not render obvious claim 1 of the present application.

Claim 2 provides that at the client terminal the step of transmitting a request message to the server system via the communication network in response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 2.

In addition, claim 2 provides the step of at the server system storing the most recent data and storing a version number of the most recent data in a first memory and mapping a plurality of version numbers of the data to a plurality of phone numbers in a second memory.

The Official Action states that Figure 4 and column 9, lines 57 through column 10, line 19 of CRISS et al. teaches storing a plurality of version numbers and information identifying the client number which may be a telephone number.

Such an assertion is not supported by the reference.

Specifically, claim 2 provides for first and second memories, the first memory storing the version number and the second memory storing the phone number. Bootptab table of Figure 4 of CRISS et al. is stored in a single memory 66. CRISS et al. do not teach or suggest first and second memories. In addition, Webopedia.com defines an IP address as a 32-bit numeric address written as four numbers separated by periods. Each number can be 0 to 255. One of ordinary skill in the art would understand that an IP address would not include a telephone number. A copy of the Webopedia definition is submitted herewith. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Claim 3 provides the step of at the client terminals transmitting a request message to the server system via the communication network in response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 3.

Claim 4 provides the step of at the client terminal transmitting a request to the server system via the communication network in a response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 4.

Claim 4 also provides that at the server system the steps of storing a set of most recent data modules, storing a set

of version numbers of the most recent data modules in a first memory, and mapping a plurality of sets of version numbers of data modules of mobile terminals to a plurality of phone numbers of the mobile phone terminals in a second memory. The comments above regarding claim 2 are also equally applicable to claim 4.

Claims 5-9 depend from one of claims 1 and 2, and further define the invention and are also believed patentable over the cited prior art.

Claim 10 provides the step of at the client terminal transmitting a request message to a receiving sever via a communication network in response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 10.

Claim 11 provides the step of at the client terminal transmitting a request message to a receiving server via a communication network in response to an event triggered by a users of the client terminal. The comments above regarding claim 1 are equally applicable to claim 11.

Claim 11 also provides the step of at the receiving server, storing a version number of the most recent data in a first memory and mapping a plurality of version numbers of the data to a plurality of phone numbers in a second memory. The comments above regarding claim 2 are equally applicable to claim 11.

Claims 12-16 depend from one of claims 10 and 11 and further define the invention and are also believed patentable over the cited prior art.

Claim 17 provides a client terminal for storing a version number of data installed on the client terminal and transmitting a request message to a communication network in response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 17.

Claim 18 provides a client terminal for transmitting a request message to a communication network in response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 18.

Claim 18 further provides that a server system for storing most recent data in a version number of the most recent data in a first memory of mapping a plurality of version numbers of the data to a plurality of phone numbers in a second memory. The comments above regarding claim 2 are equally applicable to claim 18.

Claim 19 provides a client terminal for storing a set of version numbers of data modules installed on the client terminal, transmitting a request message to a communication network in response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 19.

Claim 20 provides a client terminal for transmitting a request message to a communication network in response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 20.

Claim 20 also provides a server system for storing a set of most recent data modules, storing a set of version numbers of the most recent data modules in a first memory, mapping a plurality of sets of version numbers of data modules of mobile terminals to a plurality of phone numbers of the mobile terminals in a second memory. The comments above regarding claim 2 are equally applicable to claim 20.

Claims 21-24 depend from claim 17 and further define the invention and are also beloved patentable over the cited prior art.

Claim 25 provides a client terminal for storing a version number of data installed on the client terminal, and transmitting a request message to a communication network in response to an event triggered by a user of the client terminal The comments above regarding claim 1 are equally applicable to claim 25.

Claim 26 provides a client terminal for transmitting a request message to a communication network in response to an event triggered by a user of the client terminal. The comments above regarding claim 1 are equally applicable to claim 26.

In addition, claim 26 provides a receiving server for storing a version number of most recent data in a first memory and mapping a plurality of version numbers of the data to a plurality of phone numbers in a second memory. The comments above regarding claim 2 are equally applicable to claim 26.

Claims 27-30 depend from claim 25 and further define the invention and are also believed patentable over the cited prior art.

New claim 31 provides that the phone number is a ten-digit telephone number assigned to the client terminal. Claim 31 further defines over the IP address of CRISS et al.

New claim 32 provides that the steps of claim 1 are performed in sequential order from a to f. Claims 31 and 32 depend from claim 1 and further define the invention and are also believed patentable over the cited prior art.

By way of further explanation, an object of the present invention is for each mobile terminal to automatically update the software version. The request is initiated by the mobile terminal.

Such teaching is opposite that to which is known in the art as disclosed by CRISS et al. Specifically, one would expect the host computer to initiate any updates. The system of CRISS et al. is the intuitive system wherein the host computer is responsible for determining whether the mobile terminals have the most current versions of software and then updating the software.

The method and system disclosed in the present invention are counter-intuitive to what is known in the art and opposite to that which is taught by CRISS et al. Accordingly, one of having ordinary skill in the art would not be motivated to go against the conventional teachings of CRISS et al. to render obvious the claims of the present invention.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Please charge the fee of $36 for the two extra claims added herewith, to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- Webopedia article

- Replacement Sheet for Figure 4 of the drawings